

ASSEMBLY BILL

No. 1880

Introduced by Assembly Member Irwin

February 10, 2016

An act to amend Section 35147 of the Education Code, relating to local educational agencies.

LEGISLATIVE COUNSEL'S DIGEST

AB 1880, as introduced, Irwin. Local educational agencies: parent advisory committees: meetings.

Under existing law, the meetings of school district governing boards are subject to the provisions of the Ralph M. Brown Act, which generally requires that the meetings of the governing boards of local agencies be open to the public with proper notice given, permit the recording of those meetings, prohibit legislative bodies from taking action by secret ballot and set forth other specific requirements for the conduct of those meetings. Existing law exempts the meetings of specified schoolsite councils and committees from the Ralph M. Brown Act and the Bagley-Keen Open Meeting Act, but still requires properly noticed public meetings with posted agendas.

This bill would delete obsolete statutory references from this provision and would correct references to certain parent advisory committees that fall within this exemption. The bill would also make nonsubstantive changes.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 35147 of the Education Code is amended to read:

35147. (a) Except as specified in this section, any meeting of the councils or committees specified in subdivision (b) is exempt from the provisions of this article, the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Division 3 of Title 2 of the Government Code), and the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Division 2 of Title 5 of the Government Code).

(b) The councils and schoolsite advisory committees established pursuant to Sections ~~52012, 52065, 52063, 52069, 52176, and 52852~~, subdivision (b) of Section 54425, Sections ~~54444.2, 54724, 54444.2 and 62002.5~~, and committees formed pursuant to Section ~~11503 or Section 2604 of Title 25 of the United States Code, 11503~~, are subject to this section.

(c) (1) Any meeting held by a council or committee specified in subdivision (b) shall be open to the ~~public~~ public, and any member of the public shall be able to address the council or committee during the meeting on any item within the subject matter jurisdiction of the council or committee. Notice of the meeting shall be posted at the schoolsite, or other appropriate place accessible to the public, at least 72 hours before the time set for the meeting. The notice shall specify the date, time, and location of the ~~meeting~~ meeting, and contain an agenda describing each item of business to be discussed or acted upon. The council or committee may not take any action on any item of business unless that item appeared on the posted agenda or unless the council or committee members present, by unanimous vote, find that there is a need to take immediate action and that the need for action came to the attention of the council or committee subsequent to the posting of the agenda. ~~Questions~~

(2) *Questions* or brief statements made at a meeting by members of the council, committee, or public that do not have a significant effect on pupils or employees in the school or school ~~district~~ district, or that can be resolved solely by the provision of ~~information~~ information, need not be described on an agenda as items of business. If a council or committee violates the procedural meeting requirements of this ~~section and upon section, and upon~~ section, and upon

1 *the* demand of any person, the council or committee shall
2 reconsider the item at its next meeting, after allowing for public
3 input on the item.

4 (d) Any materials provided to a schoolsite council shall be made
5 available to any member of the public who requests the materials
6 pursuant to the California Public Records Act (Chapter 3.5
7 (commencing with Section 6250) of Division 7 of Title ~~4~~ *1 of*
8 *the Government Code*).